Remarks

The above Amendments and these Remarks are in reply to the Final Office Action mailed October 30, 2006 , and are being filed concurrently with a REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114.

I. Summary of Examiner's Rejections

Prior to the Office Action mailed October 30, 2006, Claims 1-4 and 10-15 were pending in the Application. In the Office Action, Claims 1-3, 10-12 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff et al. (U.S. Patent No. 5,327,486, hereinafter Wolff) in view of O'Cinneide (U.S. Patent No. 6,138,036). Claims 2 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff and O'Cinneide and further in view of Swistock (U.S. Patent No. 6,389,115). Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff and O'Cinneide and further in view of Dowens (U.S. Patent No. 6,389,114). Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bremer (U.S. Patent No. 6,018,671) in view of Brunet (U.S. Patent No. 5,995,590).

II. Summary of Applicant's Amendment

The present Response amends Claims 1 and 15, leaving for the Examiner's present consideration Claims 1-4 and 10-15. Reconsideration of the Application, as amended, is respectfully requested. Applicant respectfully reserves the right to prosecute any originally presented or canceled claims in a continuing or future application.

III. Claim Rejections under 35 U.S.C. § 103(a)

In the Office Action mailed October 30, 2006, Claims 1-3, 10-12 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff et al. (U.S. Patent No. 5,327,486, hereinafter Wolff) in view of O'Cinneide (U.S. Patent No. 6,138,036). Claims 2 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff and O'Cinneide and further in view of Swistock (U.S. Patent No. 6,389,115). Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff and O'Cinneide and further in view of Dowens (U.S. Patent No. 6,389,114). Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bremer (U.S. Patent No. 6,018,671) in view of Brunet (U.S. Patent No. 5,995,590).

Claim 1

Claim 1 has been amended to more clearly define the embodiment therein. As amended, Claim 1 defines:

> *1. (Currently Amended) A telecommunication infrastructure, comprising:*
> *(a) a first electronic device, coupled to the telecommunication infrastructure;*
> *(b) a second electronic device, coupled to the infrastructure, for providing input for a conversation representation;*
> *(c) a processing device, coupled to the telecommunication infrastructure and remote to the first device for storing 1) a conversation element associated with the conversation representation and 2) a software program for providing an audible utterance to the first electronic device in response to a selected conversation representation, wherein the processing device can be invoked by a user of the stored conversation elements for dynamic interactive use with a second user, and for text-to-speech conversion for real-time dynamic input with the second user and wherein said conversation representation of the second electronic device is used by said user for transitioning between a plurality of different states such that said audible utterance is provided to the first electronic device upon transitioning and such that said input is associated with different conversation representations at different states; and*
> *(d) a recording device coupled to the second electronic device for audio recording into an utterance data store;*
> *(e) a switchable audio input adapted to allow a user to voice directly into the second electronic device in addition to said input for the conversation representation; and*
> *(f) a telephone-to-user connector that is connected to said second electronic device and that enables the user of the stored conversation elements to hear both the conversation generated by the system and at least the second user.*

As amended, Claim 1 defines a telecommunications infrastructure that includes several electronic devices as well as a processing device that stores conversation elements associated with conversation representations and a software program that provides audible utterances to the electronic device. The users of the stored conversation elements use the conversation representations to transition between a plurality of call states (e.g. Figure 15) such that as the various states are transitioned, audible messages are generated and provided to the first electronic device. In this manner, the processing device can be invoked by users for dynamic interactive use and for text-to-speech conversion of real-time dynamic input.

The advantages of the features in Claim 1 include, for example, the ability of the user to transition between various states of the telephone call by using just a few buttons which represent different conversation representations at different states (Figure 15, pp. 22-23). As such, the commands can be processed as a state machine appropriate for task of call disposition.

Wolff teaches a method and system for managing telecommunications such as telephone calls. More particularly, Wolff appears to disclose a personal telephone manager that uses out-of-band wireless two-way messaging in order to respond to incoming telephone calls and communicate called party text messages in auditory form to the caller (Abstract). The use of out-of-band signaling frees the called party from the need to maintain telephone network connectivity and subscribe to cellular services (Abstract).

O'Cinneide teaches a wireless telephone with voice data interface mode. More particularly, O'Cinneide appears to disclose that audio signals detected through a microphone, are converted into data for transmission through the data network. Likewise, voice data received by the wireless telephone from the data network is converted into audio signals and output through a wireless telephone speaker. However, Applicant respectfully submits that Wolff in combination with O'Cinneide fail to disclose the features of Claim 1 as amended.

For example, Wolff and O'Cinneide fail to disclose a conversation representation of the second electronic device that is used by the user for transitioning between a plurality of different states such that said audible utterance is provided to the first electronic device upon transitioning and such that said input is associated with different conversation representations at different states, as defined in Claim 1. No such state machine appears to be disclosed in Wollf. Instead, Wolff merely appears to disclose a telephone manager software that responds to incoming telephone calls and communicates text messages to the caller in auditory form (Abstract, col. 4, line 54 – col. 5 line 6). Furthermore, there is no input disclosed in Wolff that is associated with different conversation representations at different call states, as defined in Claim 1.

Similarly, Wolff and O'Cinneide fail to disclose a processing device for text-to-speech conversion for real-time dynamic input with the second user, as defined in Claim 1. Neither Wolff nor O'Cinneide appear to be concerned with dynamically converting any input of the second user. Similarly, neither reference appear to do so by dynamically converting text into speech in order to enable dynamic and interactive use between two users, as defined in Claim 1. At most, Wolff appears to mention the step of converting a text message into a speech message. However, this is not the same as dynamically converting the input of the second user in order to enable real-time dynamic and interactive use of the system, as defined in Claim 1.

In the Office Action it was agreed that Wolff fails to disclose switching to voice input mode and a telephone-to-user connection, as defined in Claim 1. It was proposed, however, that O'Cinneide discloses these features of Claim 1. Applicant respectfully disagrees.

Firstly, O'Cinneide fails to disclose a switchable audio input adapted to allow a user to voice directly into the second electronic device in addition to the input for conversation representations, as defined in Claim 1. No switching from input of conversational representation input to voice input appears to be disclosed anywhere in O'Cinneide. This feature of Claim 1 allows users to incorporate live audio into a quiet conversation when appropriate. Neither Wolff nor O'Cinneide appear to be concerned with such functionality.

Secondly, O'Cinneide fails to disclose a telephone-to-user connector *that is connected to the second electronic device and that enables the user of the stored conversation elements to hear both the conversation generated by the system and at least the second user*, as defined in Claim 1. Instead, O'Cinneide appears to disclose a wireless telephone with a voice data interface mode where the sound detected by a microphone is converted to digitized sound by CODEC. The format of the data leaving the port is thus ASCII text. (col. 6, lines 25-52). On the receiving end, the recipient is able to simply play the digitized data through a PC or a telephone (col. 6, line 61 – col. 7, line 8). However, this is not the same as a telephone-to-user connector that is connected to the second electronic device. Furthermore, there is no disclosure at all of enabling the *user of the stored conversation elements* to hear *both* the conversation generated by the system and the second user, as defined in Claim 1. For example, in O'Cinneide, it appears to be only the receiving user that is able to play the compressed digitized sound, while Claim 1 defines that the user of the stored conversation elements hears both sound generated by the system as well as the second user. These features of Claim 1 enable users to carry on an interactive conversation and are not disclosed by any of the cited references.

In view of the above comments, Applicant respectfully submits that Claim 1, as amended, is neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claim 15

Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bremer in view of Brunet. The present Response amends Claim 15 in order to more clearly define the embodiment therein. As amended, Claim 15 contains at least some of the features discussed in conjunction with Claim 1 and as such, arguments and remarks made above are incorporated herein by reference.

Bremer teaches a silent call accept. More particularly, Bremer appears to disclose a remote device that includes a silent alert that signals a user of an incoming call without audible

alert. This device also includes a key to accept the call into a nonactive state and a prerecorded message to inform the call that the user is occupied (Bremer, Abstract).

Brunet teaches a method and apparatus for a communication device for use by hearing impaired, mute or deaf person or in silent environments. More particularly, Brunet appears to disclose the use of a unit including a keyboard to enter text corresponding to what the user wants to say. The text is converted into synthesized speech using TTS apparatus and voice output is sent to the microphone of the phone (Brunet, Abstract).

For example, Bremen and Brunet fail to disclose a conversation representation of the second electronic device that is used by the user for transitioning between a plurality of different states such that said audible utterance is provided to the first electronic device upon transitioning and such that said input is associated with different conversation representations at different states, as defined in Claim 15 and discussed above.

Similarly, neither reference discloses any a switchable audio input that enables switching between audio and representation input, nor a telephone-to-user connector that is connected to the second electronic device and that enables the user of the stored conversation elements to hear both the conversation generated by the system and at least the second user, as defined in Claim 15.

As such, Claim 15, while independently patentable, recite limitations that, similarly to those described above with respect to claim 1, are not taught, suggested nor otherwise rendered obvious by the cited references. Reconsideration thereof is respectfully requested.

Claims 2-14

Claims 2-14 are not addressed separately, but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim, and further in view of the comments provided above. Applicant respectfully submits that Claims 2-14 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

IV. Conclusion

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration

thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: January 29, 2007

By: /Justas Geringson/

Justas Geringson
Reg. No. 57,033

Customer No.: 23910
FLIESLER MEYER LLP
650 California Street, 14th Floor
San Francisco, California 94108
Telephone: (415) 362-3800
Fax: (415) 362-2928